

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:
The Financial Oversight and Management Board for
Puerto Rico,
as representative of
The Commonwealth of Puerto Rico, *et al.*,
Debtors.¹

In re:
The Financial Oversight and Management Board for
Puerto Rico,
as representative of
The Puerto Rico Electric Power Authority,
Debtor.

PROMESA
Title III
No. 17 BK 3283-LTS

PROMESA
Title III
No. 17 BK 04780-LTS

**ORDER GRANTING MOTION TO SEAL FOR LIMITED DURATION AND
FOR SUPPLEMENTAL BRIEFING**

This matter is before the Court on the *Urgent Motion of Solus to File Under Seal Unredacted Motion to Compel Testimony Pursuant to Rule 30(b)(6) from U.S. Bank in Connection with PREPA RSA Settlement Motion* (Dkt. No. 1473 in 17-BK-4780; Dkt. No. 8047 in 17-BK-3283) ("Motion to Seal"). Through the Motion to Seal, Solus² seeks to file under seal an

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

unredacted version of the *Motion of Solus to Compel Testimony Pursuant to Rule 30(b)(6) from U.S. Bank in Connection with PREPA RSA Settlement Motion* (Dkt. No. 1469 in 17-BK-4780; Dkt. No. 8045 in 17-BK-3283) ("Motion to Compel"). A partially redacted version of the Motion to Compel has already been filed on the docket. Solus has redacted information designated as Confidential pursuant to the operative Stipulated Protective Order by Citibank.

Solus' Motion to Seal does not include sufficient information from Citibank to justify sealing of the redacted information. Thus, the Court will only permit the Motion to Compel to be filed under seal for a limited duration, during which Citibank may submit briefing to the Court explaining why continued sealing is appropriate.

Additionally, in Solus' proposed order, it proposes to grant access to the sealed Motion to Compel in the first instance to "Solus and all other parties entitled to service in these proceedings[.]" (Motion to Seal, Proposed Order at 1). The Court finds that, given the Stipulated Protective Order, it is more appropriate to give access in the first instance to only those parties to the Stipulated Protective Order. Accordingly:

1. Solus is entitled to file the full, unredacted version of the Motion to Compel under seal.
2. The Clerk of Court shall allow access to the unredacted version of the Motion to Compel to those parties who have signed the Stipulated Protective Order (Dkt. No. 1322 in 17-BK-4780).
3. Citibank shall file with the Court a short brief justifying the continued sealing of any currently redacted information by **July 22, 2019**.
4. The Court will thereafter take any requests for continued sealing on submission.

² Capitalized terms not defined herein shall have the meaning ascribed to them in the Motion to Seal.

5. This Order is without prejudice to the rights of any party in interest to seek to unseal the documents or any part thereof.

Dated: July 17, 2019

/s/ Judith G. Dein
HONORABLE JUDITH GAIL DEIN
UNITED STATES MAGISTRATE JUDGE